



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ingle et al.

Serial No. **09/470,446**

Filed: **December 22, 1999**

For: **Gas Delivery Metering Tube**

Art Unit: 1763

Examiner: Zervigon, Rudy

**PETITION FOR WITHDRAWAL OF
ABANDONMENT UNDER 37 CFR §1.181(a)**

Date: April 7, 2004

CERTIFICATE OF MAILING

I hereby certify that this document or fee is being deposited with the United States Postal Service as First Class Mail addressed to Commissioner for Patents, P.O. Box 1450, Mail Stop Issue Fee, Alexandria, VA 22313-1450 on April 7, 2004.

SIGNED: _____

Kurt Bateman
Kurt Bateman

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant is in receipt of the attached Notice of Abandonment mailed March 9, 2004.

Applicant submits that this Notice of Abandonment and the alleged abandonment is improper. The reason for abandonment is given as failure on the part of applicant to timely file a reply to the Office Action dated August 26, 2003.

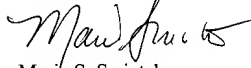
Applicant mailed a Response to the Office Action on November 26, 2004 which included a Amendment, an Applicant Initiated Interview Request Form and the Interview Summary executed on October 17, 2003. A copy of the response, along with the return postcard indicating that the response was received in the Patent Office on December 1, 2003, is enclosed.

It is respectfully requested that the Notice of Abandonment be withdrawn, that this patent application be returned to pending status and that this application proceed to Issue.

This petition is filed under 37 CFR §1.181(a) and thus Applicant believes that no fee is required. However, the Commissioner is authorized to charge any additional fee associated with the filing of this Petition (or credit any overpayment) to Deposit Account No. 50-2319 (Order No. A-67178/MSS(463035-409)).

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Maria S. Swiatek', with a stylized flourish at the end.

Maria S. Swiatek

Reg. No. 37,244

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